

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50725 of 2014

Arising Out of PS.Case No. -100 Year- 2012 Thana -THAKRAHA District-
WESTCHAMPARAN(BETTIAH)

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1. Vivek Kushwaha @ Vivek Kumar Son of Hardeo Kushwaha.
2. Lalbahadur Kushwaha @ Lalbahadur Kushwaha Son of Tufani
Kushwaha Both Resident of village - Binahi, P.S- Bhitaha O.P (Thakaraha),
District-West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Nathuni Kushwaha Son of Rikhdeo Mahto Village-Binahi, P.S- Bhitaha
O.P (Thakaraha), District- West Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Adv.

For the Opposite Party/s : Mr. U.S.P.Singh, App

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 08-03-2016 The petitioners seek quashing of the order dated 15.10.2014
passed by the 3rd Additional District and Sessions Judge, Bagaha,
West Champaran in S.Tr. No. 695 of 2012 arising out of Thakaraha
(Bhitaha) P.S. Case No. 100 of 2012.

Considering that the petitioners were not named during
entire investigation and they being named during trial evidently is
a contradiction which would not justify putting the petitioners on
trial, the application is allowed and the order dated 15.10.2014
passed by the 3rd Additional District and Sessions Judge, Bagaha,
West Champaran in S.Tr. No. 695 of 2012 arising out of Thakaraha
(Bhitaha) P.S. Case No. 100 of 2012 is hereby set aside.

(Anjana Prakash, J)

Prakash/-

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